APPENDIX A

Judgment of the Superior Court of New Jersey

Superior Court of New Jersey
Middlesex County, Law Division (Criminal)

Nos. I. 417-68, I. 418-68, I. 419-68, I. 420-68
Docket Nos. 69-187, 69-188, 69-189, 69-190

STATE OF NEW JERSEY, *Plaintiff*,

v.

Colonial Pipeline Company, WALTER ZIRPOLO, ROBERT E. JACKS, Bechetel Corporation, Rowland Tompkins Corporation, BEN D. LEUTY, KARL T. FELDMAN, Gates Equipment Corporation, Gates Construction Corp.
Defendants.

This matter having been opened to the Court by various counsel representing all of the afore-mentioned defendants except Walter Zirpolo, and the State having been represented by Edward J. Dolan, Prosecutor of Middlesex County (J. Norris Harding, Assistant Prosecutor, appearing), and the Court having had an opportunity to consider the briefs and affidavits submitted as well as the oral arguments presented;

It is, on this eighth day of December 1969, ORDERED and ADJUDGED that the motions made by respective counsel for all the defendants except defendant Walter Zirpolo, for dismissal of the above indictments, based upon double jeopardy and/or collateral estoppel, be and the same are hereby dismissed for the reasons fully stated in the court's oral opinion delivered in open court on October 31, 1969, as by the record will more fully appear.

/s/ LEON GEROFSKY
Leon Gerofsky, A.J.S.C.

APPENDIX B

Opinion of the Superior Court of New Jersey

Superior Court of New Jersey
Middlesex County, Law Division (Criminal)

Nos. I. 417-68, I. 418-68, I. 419-68, I. 420-68
(Argued September 19, 1969 Decided October 31, 1969)
Docket Nos. 69-187, 69-188, 69-189, 69-190

STATE OF NEW JERSEY, *Plaintiff*,

v.

WALTER ZIRPOLO, ROBERT E. JACKS,
Colonial Pipeline Company,
KARL T. FELDMAN, BEN D. LEUTY,
Rowland Tompkins Corporation,
Bechtel Corporation, Gates
Construction Corporation,
Gates Equipment Corporation,
Defendants.

Before:

Honorable Leon Gerofsky, A.J.S.C.

Appearances:

Edward J. Dolan, Prosecutor
By J. Norris Harding, Assistant Prosecutor
For the State

Toolan, Romond & Burgess, Esqs.
By Arthur W. Burgess, Esq.
For defendant Jacks

Wilentz, Goldman & Spitzer, Esqs.
By Warren W. Wilentz, Esq.
For defendant Colonial Pipeline

Paul, Weiss, Goldberg, Rifkind, Wharton & Garrison, Esqs.
By Simon H. Rifkind, Esq.
For defendant Leuty

Pindar, McElroy, Connell, Foley & Geiser, Esqs.
By Adrian M. Foley, Jr., Esq.
For defendant Feldman

Shanley & Fisher, Esqs.
By Thomas F. Campion, Esq.
For defendant Bechtel Corporation

[2] The Court: Gentlemen, I have listened to all the argument here, after having devoted much time during the summer and since then to the briefs filed in this matter, and I am ready to call it. As I say, all of you rely upon your briefs, and I have read them, studied them, familiarized myself with all of the authorities recited therein.

The defendants here, other than the defendant, Zirpolo, have moved this Court for an order dismissing the indictments against them on the ground that trial in this Court would place them twice in jeopardy, and on the additional ground, raised by defendant, Leuty, that the State is collaterally estopped from prosecuting them. Today Leuty suggests an additional ground, a further ground that the Court should exercise supervisory power to bring to a halt this prosecution. That, though not specifically briefed, is summed up by my observation that it constitutes nothing more than that this Court should let its heart rule its head.

The defendants were first indicted in the United States District Court of New Jersey. They were charged, in many counts, with conspiring to violate and violating 18 U.S.C. code section 192 [sic] by using or causing others to use facilities in interstate commerce to promote, manage, establish, carry on and facilitate unlawful activity, to [3] wit, violations of New Jersey's bribery statute, *N.J.S.* 2A: 93-6. A trial was held and various judgments of convic-

tions and acquittal were entered on jury verdicts. The judgments of conviction are presently under appeal.

The Middlesex County Grand Jury subsequently indicted the same defendants. In all essential respects, save the loss of some counts through passage of time, the State indictments charge the defendants with unlawful conduct arising out of the same facts. The only substantive difference is that the State indictments do not charge that the conduct of the defendants was interstate.

The defendant, Jacks, has also moved for dismissal of indictments in which he alone is charged with extortion and misconduct in public office. He has not submitted a brief and is apparently relying on the briefs of other counsel. I assume that his position, for the purposes of this motion, is similar to that of the other defendants; however, any argument offered by the other defendants regarding the similarity of identity of offenses charged in the State and Federal indictments cannot serve any useful purpose here.

I turn to the argument that the indictments must be dismissed on the ground that trial in this Court would place them twice in jeopardy. The controlling authority on the issue of consecutive federal and state prosecutions [4] as placing a defendant twice in jeopardy, on both federal and state constitutional levels, is *State* v. *Cooper*, 54 *New Jersey* 330 (1969). In that case the New Jersey Supreme Court upheld prosecution of the defendant under both federal and state weapons statutes which were almost identical. In reaffirming the "dual sovereignty" theory announced in *Bartkus* v. *Illinois*, 359 *U.S.* 121, and other citations, the Court pointed out the ideological differences between the federal government and some of the states in determining the gravity of various criminal offenses and the frustration to national or state law enforcement policy which could result from a prohibition of a second trial by the other sovereign. It concluded that a subsequent prosecution by the state did not violate the United States Constitution, nor could the

Court find a violation of the N.J. Constitutional provision for the same reasons.

Cooper would appear to be conclusive on the issue before this Court since a "dual sovereignty" rationale certainly would apply to a federal interest in the stream of interstate commerce and a separate and distinct state interest in punishing law-breakers within its borders.

But defendants mount several attacks on *Cooper*.

First, defendants seem to imply that the New Jersey Supreme Court would not have decided *Cooper* the way it did had it done some additional research, and they urge this [5] Court to correct this oversight and reject the "dual sovereignty" theory since it has been "eroded". To sustain this contention, defendants cite several United States Supreme Court cases in which what they conveniently call the "dual sovereignty" theory was "rejected". *Res* v. *U.S.*, 350 *U.S.* 214 (1956). *Elkins* v. *U.S.*, 364 *U.S.* 206 (1960) and *Murphy* v. *Waterfront Commission of New York Harbor*, 378 *U.S.* 52 (1964). But these decisions represent only the application of the doctrine as it applies to the kind of evidence used in consecutive state-federal or federal-state prosecutions, not, as defendants would have it used here, to prevent a subsequent prosecution altogether.

Defendants next claim that, even if *Cooper* was correctly decided, it is distinguishable in that the federal statute there was designed to protect a matter of special federal concern, that is, the security of the national banking system and makes no reference to state law, while the state statute was designed to protect a distinctly different state concern, that is, protection of its citizens from dangerous weapons. However, the federal statute under which defendants were indicted here also protects a distinctly federal interest, that is, freeing interstate commerce from devices used to violate a law, the fact that the law violated was a state law is of secondary importance, whereas the state law

protects [6] citizens from the corruption of their government through bribery of public servants.

Nor does the fact that the *Cooper* court was concerned with an application for post-conviction relief make its decision any less binding on this Court since it cannot be presumed, despite defendants' suggestions, that the New Jersey Supreme Court would have applied two different standards on such an important constitutional issue in the absence of some clear indication to the contrary.

Having demonstrated why the dual sovereignty doctrine should no longer be adhered to, defendants go on to suggest that there is ample precedent for a state court's rejection of the United States Supreme Court decisions before they are expressly overruled by the highest court of the land. To soothe any apprehension this Court might have in taking so bold a step, defendants cite several state court decisions which had anticipated later Supreme Court rulings, and, specifically, an opinion by an Ohio trial court in *State* v. *Fletcher*, 15 *M;* 211, 240 *N.E.2d* 905 (1958), which found double jeopardy in a situation similar to the case at bar. Defendants fail to note, however, as did the court in *Cooper, supra,* 338, that:

> "* * * As stated in *Bartkus, supra,* of the twenty-eight states which have considered the validity of successive state and federal [7] prosecutions as against a challenge of violation of either a state constitutional double-jeopardy provision or a common-law evidentiary rule of *autrefois acquit* and *autrefois convict,* twenty-seven have refused to rule that the second prosecution was or would be barred." Citations.

Suffice it to say that even if this Court agreed with defendants' argument for the rejection of the "dual sovereignty" theory, it would hardly be propitious to fly in the face of a recent decision squarely on point by the highest court of this state on such dubious precedent.

Putting aside all considerations of double jeopardy, defendant Leuty next contends that the state prosecution here is barred by collateral estoppel, a somewhat nebulous offshoot of *res judicata* used in many criminal cases as a supplement to double jeopardy.

Even assuming, however, that the two prosecutions here present sufficient identity of issues and that no additional evidence could be pressed at the subsequent state prosecution, application of the doctrine of collateral estoppel still requires, as Leuty concedes, at least an identity of interests, if not a strict identity of parties. And if this Court accepts the "dual sovereignty" theory, as it is compelled to do by *Cooper, supra,* it [8] becomes immediately apparent that not only are the parties different, but the interests of each are not identical, the state's interest, therefore, not being fully protected in the prior federal prosecution, thus precluding the operation of the collateral estoppel rationale.

State v. *Cormier,* 46 *N.J.* 494, 505 (1966), on which Leuty relies, cites strict identity of parties as a prerequisite to the operation of the doctrine, and indeed that case involved two successive prosecutions by the same sovereign, the state. Nor do the other cases which Leuty cites, all civil, support an extension of the doctrine to the situation *sub judice* where two different sovereigns seek to vindicate separate policies underlying their separate penal laws. Rather, the Court looks to the more direct authority of *Ferina* v. *U.S.,* 340 *F.2d* 837 (*8th Cir.* 1965). There, the Court expressly declined to use either double jeopardy or *res judicata* to bar a federal prosecution for obstructing justice following a state acquittal for a felonious assault, even though both charges arose out of the same activity, since the offenses had been committed against two different sovereigns.

In conclusion, this Court is convinced that the result of the granting of defendants' motion at this time would be a blow to *stare decisis* and the entire state-federal dichoto-

mous system of criminal justice which this [9] Court has neither the authority nor the inclination to strike.

The Court, finding no merit in any of defendants' arguments, hereby denies all motions to quash the indictments.

Counsel will submit an appropriate order.

I, Louis S. Finkel, Official Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of my original stenographic notes taken in the above matter to the best of my knowledge and ability.

/s/ Louis S. Finkel

APPENDIX C

ORDER OF
SUPERIOR COURT OF NEW JERSEY,
APPELLATE DIVISION

Order

This matter having been duly presented to the Court, it is hereby Ordered as follows:

Motion for Leave to
Appeal: Denied

For the Court:

/s/ Victor S. Kilkenny,
P.J.A.D.

ORDER OF
SUPERIOR COURT OF NEW JERSEY,

M-166 September Term, 1969

This matter having been duly presented to the Court, it is Ordered that motion for Leave to Appeal is denied.

Witness, the Honorable Joseph Weintraub, Chief Justice, at Trenton, this twenty-second day of March, 1971.

APPENDIX D

The Indictments

FEDERAL	STATE
UNITED STATES OF AMERICA v. WALTER ZIRPOLO, ROBERT E. JACKS, COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, GLENN H. GILES, BEN D. LEUTY, ROWLAND TOMPKINS CORPORATION, BECHTEL CORPORATION, GATES CONSTRUCTION CORPORATION, GATES EQUIPMENT CORPORATION, *Defendants.*	THE STATE OF NEW JERSEY v. WALTER ZIRPOLO, ROBERT E. JACKS, COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, ROWLAND TOMPKINS CORPORATION, BECHTEL CORPORATION, GATES CONSTRUCTION CORPORATION, GATES EQUIPMENT CORPORATION, *Defendants.*
The Grand Jury in and for the District of New Jersey charges:	THE GRAND JURORS of the State of New Jersey, for the County of Middlesex, upon their oaths, PRESENT THAT:
1. The defendant, Walter Zirpolo, was, at all times mentioned in this Indictment, Mayor of the Township of Woodbridge, New Jersey, and a voting member of the Planning Board of said Township.	1. The defendant, WALTER ZIRPOLO, was, at all times mentioned in this Indictment, Mayor of the Township of Woodbridge, New Jersey, and a voting member of the Planning Board of said Township.
2. The defendant, Robert E. Jacks, was, at all times mentioned in this Indictment, prior to January 1, 1964, the Committeeman representing the Third Ward of the Township of Woodbridge, New Jersey, and a voting member of the Township Committee of said Township; and was, at all times mentioned in this Indictment, subsequent to January 1, 1964, a voting member and President of the Municipal Council of the Township of Woodbridge, New Jersey; and was, at all times mentioned in this Indictment, the owner of Metro Motors, a	2. The defendant, ROBERT E. JACKS, was, at all times mentioned in this Indictment, prior to January 1, 1964, the Committeeman representing the Third Ward of the Township of Woodbridge, New Jersey, and a voting member of the Township Committee of said Township; and was, at all times mentioned in this Indictment, subsequent to January 1, 1964, a voting member and President of the Municipal Council of the Township of Woodbridge, New Jersey; and was, at all times mentioned in this Indictment, the owner of Metro Motors, a

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single proprietorship, located at 561 Amboy Avenue, Township of Woodbridge, New Jersey.	single proprietorship, located at 561 Amboy Avenue, Township of Woodbridge, New Jersey.
3. The defendant Colonial Pipeline Company, was, at all times mentioned in this Indictment, a corporation duly incorporated under the laws of the State of Delaware, with principal offices at 3390 Peachtree Road, N.E., Atlanta, Georgia.	3. The defendant, COLONIAL PIPELINE COMPANY, was, at all times mentioned in this Indictment, a corporation duly incorporated under the laws of the State of Delaware, with principal offices at 3390 Peachtree Road, N.E., Atlanta, Georgia.
4. The defendant, Karl T. Feldman, was, at all times mentioned in this Indictment, Executive Vice President of the defendant Colonial Pipeline Company.	4. The defendant, KARL T. FELDMAN, was at all times mentioned in this Indictment, Executive Vice President of the defendant COLONIAL PIPELINE COMPANY.
5. The defendant, Glenn H. Giles, was, at all times mentioned in this Indictment, Manager of Construction for the defendant Colonial Pipeline Company.	5. GLENN H. GILES, an unindicted co-conspirator, at all times mentioned in this Indictment, was Manager of Construction for the defendant COLONIAL PIPELINE COMPANY.
6. The defendant, Ben D. Leuty, was, at all times mentioned in this Indictment, President of the defendant Colonial Pipeline Company.	6. The defendant, BEN D. LEUTY, was, at all times mentioned in this Indictment, President of the defendant COLONIAL PIPELINE COMPANY.
7. The defendant, Rowland Tompkins Corporation, was, at all times mentioned in this Indictment, prior to August 1, 1964, known as Rowland Tompkins & Sons, Inc., and since August 1, 1964, as the Rowland Tompkins Corporation, a corporation duly incorporated under the laws of the State of New York and located at 50 Broadway, Hawthorne, New York.	7. The Defendant, ROWLAND TOMPKINS CORPORATION, was, at all times mentioned in this Indictment prior to August 1, 1964, known as ROWLAND TOMPKINS & SONS, INC., and since August 1, 1964, as the ROWLAND TOMPKINS CORPORATION, a corporation duly incorporated under the laws of the State of New York and located at 50 Broadway, Hawthorne, New York.
8. Howard Tompkins, an unindicted co-conspirator, was, at all times mentioned in this Indictment, Vice President of the defendant Rowland Tompkins Corporation.	8. HOWARD TOMPKINS, an unindicted co-conspirator, was, at all times mentioned in this Indictment, President of the defendant ROWLAND TOMPKINS CORPORATION.

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9. Ralph A. Bankes, an unindicted co-conspirator, was, at all times mentioned in this Indictment, Vice President of the defendant Rowland Tompkins Corporation.	9. RALPH A. BANKES, an unindicted co-conspirator, was, at all times mentioned in this Indictment, Vice President of the defendant ROWLAND TOMPKINS CORPORATION.
10. The defendant, Bechtel Corporation, was, at all times mentioned in this Indictment, a corporation duly incorporated under the laws of the State of Delaware with principal offices at 220 Bush Street, San Francisco, California.	10. The defendant, BECHTEL CORPORATION, was, at all times mentioned in this Indictment, a corporation duly incorporated under the laws of the State of Delaware with principal offices at 220 Bush Street, San Francisco, California.
11. Harry F. Waste an unindicted co-conspirator, was, at all times mentioned in this Indictment, a Vice President of the Bechtel Corporation.	11. HARRY F. WASTE, an unindicted co-conspirator, was, at all times mentioned in this Indictment, a Vice President of the BECHTEL CORPORATION.
12. Robert L. Bowman, an unindicted co-conspirator, was, at all times mentioned in this Indictment, an employee of the Bechtel Corporation, employed in the capacity of Manager of Construction for the Pipeline Division.	12. ROBERT L. BOWMAN, an unindicted co-conspirator, was, at all times mentioned in this Indictment, an employee of the BECHTEL CORPORATION, employed in the capacity of Manager of Construction for the Pipeline Division.
13. William L. J. Fallow, an unindicted co-conspirator, was, at all times mentioned in this Indictment an employee of the Bechtel Corporation.	13. WILLIAM L. J. FALLOW, an unindicted co-conspirator, was, at all times mentioned in this Indictment, an employee of the BECHTEL CORPORATION.
14. The defendant, Gates Construction Corporation, was, at all times mentioned in this Indictment, a corporation duly incorporated under the laws of the State of New Jersey and located at foot of Industrial Avenue, Little Ferry, New Jersey.	14. The defendant, GATES CONSTRUCTION CORPORATION, was, at all times mentioned in this Indictment, a corporation duly incorporated under the laws of the State of New Jersey and located at the foot of Industrial Avenue, Little Ferry, New Jersey.
—15. The defendant Gates Equipment Corporation, was, at all times	15. The defendant, GATES EQUIPMENT CORPORATION, was, at all times

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mentioned in this Indictment, a corporation duly incorporated under the laws of the State of New Jersey and located at foot of Industrial Avenue, Little Ferry, New Jersey.

16. Robert S. Gates, an unindicted co-conspirator, was, at all times mentioned in this Indictment, President of the defendants Gates Construction Corporation and Gates Equipment Corporation.

COUNT I

That commencing on or about January 1, 1963, and continuously thereafter up to on or about December 31, 1964, the exact dates being to the Grand Jurors unknown, in the District of New Jersey, and elsewhere, the defendants herein:

Walter Zirpolo
Robert E. Jacks
Colonial Pipeline Company
Glenn H. Giles
Karl T. Feldman
Ben D. Leuty
Rowland Tompkins Corporation

and the following co-conspirators, not named as defendants herein:

Howard Tompkins
Ralph A. Bankes

did knowingly, willfully and unlawfully combine, conspire, confederate and agree with each other, a representative of the defendant Rowland Tompkins Corporation, and with divers other persons unknown to the

STATE

mentioned in this Indictment, a corporation duly incorporated under the laws of the State of New Jersey and located at the foot of Industrial Avenue, Little Ferry, New Jersey.

16. ROBERT S. GATES, an unindicted co-conspirator, was, at all times mentioned in this Indictment, President of the defendants GATES CONSTRUCTION CORPORATION and GATES EQUIPMENT CORPORATION.

COUNT I

That commencing on or about January 1, 1963, and continuously thereafter up to on or about December 31, 1964, in the County of Middlesex, State of New Jersey, and elsewhere and within the jurisdiction of this Court, the defendants herein:

WALTER ZIRPOLO
ROBERT E. JACKS
COLONIAL PIPELINE COMPANY
KARL T. FELDMAN
BEN T. LEUTY
ROWLAND TOMPKINS CORPORATION

and the following co-conspirators, not named as defendants herein:

GLENN H. GILES
HOWARD TOMPKINS
RALPH A. BANKES

did knowingly, willfully and unlawfully combine, conspire, confederate and agree with each other, a representative of the defendant ROWLAND TOMPKINS CORPORATION, and with divers other persons to commit certain

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Grand Jurors to commit certain offenses against the United States in violation of the provisions of Section 1952 of Title 16, [SIC], United States Code in that the defendants and said co-conspirators would travel and wilfully cause others to travel in interstate commerce and that they would use and wilfully cause others to use facilities in interstate commerce, including telephones and the mails, all of the above with the intent to promote, manage, establish and carry on and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of a building permit by bribery of officials of the Township of Woodbridge, New Jersey, in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A :93-6, and it was further part of said conspiracy that the defendants would thereafter perform and cause others to perform acts of promoting, managing, establishing and carrying on of said unlawful activity and acts facilitating the promoting, managing, establishing and carrying on of said unlawful activity.	offenses against the State of New Jersey in violation of N.J.S. 2A :93-6, in that the defendant, a representative of ROWLAND TOMPKINS CORPORATION and said co-conspirators did conspire to promote, manage, establish and carry on and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of a building permit and certificate of occupancy by bribery of officials of the Township of Woodbridge, New Jersey, in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A :93-6, and it was further part of said conspiracy that the defendants would thereafter perform and cause others to perform acts of promoting, managing, establishing and carrying on of said unlawful activity and acts facilitating the promoting, managing, establishing and carrying on of said unlawful activity.
It was part of said conspiracy that the defendant Colonial Pipeline Company would request the assistance of the defendant Walter Zirpolo in obtaining a building permit from the Township of Woodbridge, New Jersey, for erection of 22 petroleum storage tanks within the Third Ward of the Port Reading Section of said Township.	It was part of said conspiracy that the defendant COLONIAL PIPELINE COMPANY did request the assistance of the defendant WALTER ZIRPOLO, in obtaining a building permit from the Township of Woodbridge, New Jersey, for erection of 22 petroleum storage tanks and terminals within the Third Ward of the Port Reading Section of said Township.

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It was also a part of said conspiracy that the defendant Walter Zirpolo would inform the defendant Colonial Pipeline Company that its application for a building permit would be opposed by the residents of the Third Ward, Port Reading Section, Township of Woodbridge, New Jersey, and that the defendant Colonial Pipeline Company would agree not to file its application for a building permit for its proposed petroleum tank construction until after the November 5, 1963 elections in which the defendant Walter Zirpolo was a candidate for re-election as Mayor of the Township of Woodbridge as the defendants Walter Zirpolo and Robert E. Jacks had promised their constituents that no additional petroleum tanks would be erected in the Port Reading Section of Woodbridge, New Jersey.	It was also a part of said conspiracy that the defendant WALTER ZIRPOLO did inform the defendant COLONIAL PIPELINE COMPANY that its application for a building permit would be opposed by the residents of the Third Ward, Port Reading Section, Township of Woodbridge, New Jersey, and that the defendant COLONIAL PIPELINE COMPANY would agree not to file its application for a building permit for its proposed petroleum tank construction and terminal until after the November 5, 1963 elections in which the defendant WALTER ZIRPOLO was a candidate for re-election as Mayor of the Township of Woodbridge, as the defendants WALTER ZIRPOLO and ROBERT E. JACKS had promised their constituents that no additional petroleum tanks would be erected in the Port Reading Section of Woodbridge, New Jersey.
It was also a part of said conspiracy that the defendant Walter Zirpolo would arrange for the defendant Colonial Pipeline Company's agent and employee Fred Stewart to meet with the defendant Robert E. Jacks at the defendant Robert E. Jacks' place of business, Metro Motors, Woodbridge, New Jersey, at which time and place the said defendant Robert E. Jacks would inform Fred Stewart that the then present administration in the Township of Woodbridge, New Jersey, could if re-elected aid the defendant Colonial Pipeline Company in securing a building permit for its	It was also a part of said conspiracy that the defendant WALTER ZIRPOLO on behalf of himself and ROBERT E. JACKS did arrange for the defendant COLONIAL PIPELINE COMPANY'S Agent and employee Fred Stewart to meet with the defendant ROBERT E. JACKS at the defendant ROBERT E. JACKS' place of business, Metro Motors, Woodbridge, New Jersey, at which time and place the said defendant ROBERT E. JACKS did inform Fred Stewart that the then present administration in the Township of Woodbridge, New Jersey, could if re-elected aid the defendant COLONIAL PIPELINE COMPANY in securing

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proposed petroleum tankage construction in the Port Reading Section of said Township after the November 5, 1963 elections, without which aid the defendant Colonial Pipeline Company's building application might be defeated because of opposition by the residents of the Port Reading Section at a public hearing before the Planning Board of the Township of Woodbridge, New Jersey.	a building permit for its proposed petroleum tankage construction in the Port Reading Section of said Township after the November 5, 1963 elections, without which aid the defendant COLONIAL PIPELINE COMPANY'S building application might be defendant COLONIAL PIPELINE COMPANY'S building application might be defeated because of opposition by the residents of the Port Reading Section at a public hearing before the Planning Board of the Township of Woodbridge, New Jersey.
It was also a part of said conspiracy that the defendant Robert E. Jacks would on behalf of himself, the defendant Walter Zirpolo, and divers other persons to the Grand Jury unknown, solicit from the defendant Colonial Pipeline Company, through its agent and employee Fred Stewart, the sum of $50,000 as a campaign contribution in return for aiding the defendant Colonial Pipeline Company, after the November 5, 1963 elections, in securing a building permit from the Township of Woodbridge, New Jersey, over the objections of the residents of the Port Reading Section of the Township of Woodbridge, New Jersey.	It was also a part of said conspiracy that the defendant ROBERT E. JACKS did on behalf of himself and the defendant WALTER ZIRPOLO, solicit from the defendant COLONIAL PIPELINE COMPANY, through its agent and employee Fred Stewart, the sum of $50,000.00 under the guise of a campaign contribution in return for aiding the defendant COLONIAL PIPELINE COMPANY, after the November 5, 1963 elections, in securing a building permit and certificate of occupancy from the Township of Woodbridge, New Jersey, over the objecjections of the residents of the Port Reading Section of the Township of Woodbridge, New Jersey.
It was also a part of the said conspiracy that the defendants Glenn H. Giles, Karl T. Feldman and Ben D. Leuty, acting for and on behalf of the defendant Colonial Pipeline Company, would confer and agree among themselves, and with other persons to the Grand Jury unknown, to transmit the sum of $50,000 from	It was also a part of the said conspiracy that GLENN H. GILES, an unindicted co-conspirator and defendants KARL T. FELDMAN and BEN D. LEUTY, acting for and on behalf of the defendant COLONIAL PIPELINE COMPANY, would confer and agree among themselves, and with other persons to transmit the sum of $50,000.00

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the defendant Colonial Pipeline Company, in Atlanta, Georgia to the defendants Walter Zirpolo and Robert E. Jacks in the Township of Woodbridge, New Jersey, and other persons to the Grand Jury unknown, for the purpose of procuring the assistance of said defendants Walter Zirpolo and Robert E. Jacks in obtaining the aforesaid building permit from the Towsnhip of Woodbridge, New Jersey.	from the defendant COLONIAL PIPELINE COMPANY, in Atlanta, Georgia to the defendants WALTER ZIRPOLO and ROBERT E. JACKS in the Township of Woodbridge, New Jersey, for the purpose of procuring the assistance of said defendants WALTER ZIRPOLO and ROBERT E. JACKS in obtaining the aforesaid building permit and certificate of occupancy from the Township of Woodbridge, New Jersey.
It was also a part of said conspiracy that the defendant Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty, Rowland Tompkins Corporation, Walter Zirpolo and Robert E. Jacks, and the co-conspirators but not defendants herein, Howard Tompkins and Ralph A. Bankes and a representative of the defendant Rowland Tompkins Corporation would agree among themselves, and with divers other persons to the Grand Jury unknown, to travel and cause travel in interstate commerce, and to use and cause the use of facilities in interstate commerce, including the mails and the telephones, for the purpose of transmitting the aforesaid $50,000 from the defendant Colonial Pipeline Company's office in Atlanta, Georgia, to the defendant Rowland Tompkins Corporation's office in the City of Hawthorne, New York, and thence to the defendant Walter Zirpolo and Robert E. Jacks in the Township of Woodbridge, New Jersey, in three installments; that the first payment of $20,000 would be due on or about	It was also a part of said conspiracy that GLENN H. GILES, an unindicted co-conspirator and the defendants COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, ROWLAND TOMPKINS CORPORATION, WALTER ZIRPOLO and ROBERT E. JACKS, and the co-conspirators but not defendants, herein, HOWARD TOMPKINS and RALPH A. BANKES and a representative of the defendant ROWLAND TOMPKINS CORPORATION would agree among themselves, and with divers other persons to transmit the aforesaid $50,000.00 from the defendant COLONIAL PIPELINE COMPANY's office in Atlanta, Georgia to the defendant ROWLAND TOMPKINS CORPORATION's office in the City of Hawthorne, New York, and thence to the defendants WALTER ZIRPOLO and ROBERT E. JACKS, in the Township of Woodbridge, New Jersey, in three installments; that the first payment of $20,000.00 would be due on or about November 6, 1963; that the second payment of $15,000.00 would be due after a building permit had been issued to the defendant COLONIAL

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November 6, 1963; that the second payment of $15,000 would be due after a building permit had been issued to the defendant Colonial Pipeline Company by the Township of Woodbridge; that the third payment of $15,000 would be due after a certificate of occupancy had been issued to the defendant Colonial Pipeline Company by the Township of Woodbridge, New Jersey.	PIPELINE COMPANY by the Township of Woodbridge; that the third payment of $15,000.00 would be due after a certificate of occupancy had been issued to the defendant COLONIAL PIPELINE COMPANY by the Township of Woodbridge, New Jersey.
It was further part of said conspiracy that the defendants would make and cause to be made false and fictitious documents and would perform other acts for the purpose of hiding and concealing, and causing to be hidden and concealed, the purpose of, and acts in furtherance of, the conspiracy, all in violation of Section 371 of Title 18, United States Code.	It was further part of said conspiracy that the defendants would make and cause to be made false and fictitious documents and would perform other acts for the purpose of hiding and concealing, and causing to be hidden and concealed, the purpose of, and acts in furtherance of, the conspiracy, all in violation of and contrary to provisions of N.J.S. 2A:98-1 and 2A:93-6 and against thepeach [SIC] of this State, the government and dignity of the same.
FEDERAL	STATE
OVERT ACTS	OVERT ACTS
In furtherance of the conspiracy and to effect the objects thereof the defendants committed and caused to be committed the following overt acts:	In furtherance of the conspiracy and to effect the objects thereof the defendants committed and caused to be committed the following overt acts:
1. On or about August 16, 1963, in Woodbridge, New Jersey, in the District of New Jersey the defendant Walter Zirpolo had a conversation with Fred Stewart, an employee of the defendant Colonial Pipeline Company.	1. On or about August 16, 1963, in the Township of Woodbridge, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the defendant WALTER ZIRPOLO had a conversation with Fred Stewart, an employee of the defendant COLONIAL PIPELINE COMPANY.

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2. On or about August 16, 1963, in Woodbridge, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks had a conversation with Fred Stewart, an employee of the defendant Colonial Pipeline Company.	2. On or about August 16, 1963, in the Township of Woodbridge, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the defendant ROBERT E. JACKS had a conversation with Fred Stewart, an employee of the defendant COLONIAL PIPELINE COMPANY.
3. On or about October 14 and 15, 1963, in Atlanta, Georgia, the defendants Glenn H. Giles and Karl T. Feldman had a conversation with a representative of the defendant Rowland Tompkins Corporation at the defendant Colonial Pipeline Company's offices in Atlanta, Georgia.	3. On or about October 14 and 15, 1963, in Atlanta, Georgia, GLENN H. GILES, an unindicted co-conspirator, had a conversation with a representative of the defendant ROWLAND TOMPKINS CORPORATION at the defendant COLONIAL PIPELINE COMPANY's offices in Atlanta, Georgia.
4. On or about October 14 and 15, 1963, at the defendant Colonial Pipeline Company's offices in Atlanta, Georgia, the defendant Karl T. Feldman signed a document dated October 1, 1963, which document purported to be a contract between the defendant Colonial Pipeline Company and the defendant Rowland Tompkins Corporation.	4. On or about October 14 and 15, 1963, at the defendant COLONIAL PIPELINE COMPANY's offices in Atlanta, Georgia, the defendant KARL T. FELDMAN signed a document dated October 1, 1963, which document purported to be a contract between the defendant COLONIAL PIPELINE COMPANY and the defendant ROWLAND TOMPKINS CORPORATION.
5. On or about October 15, 1963, the defendants Karl T. Feldman, Glenn H. Giles and Ben D. Leuty caused a representative of the defendant Rowland Tompkins Corporation to travel in interstate commerce from Atlanta, Georgia to Newark, New Jersey, in the District of New Jersey.	5. On or about October 15, 1963, GLENN H. GILES, an unindicted co-conspirator and the defendants KARL T. FELDMAN and BEN D. LEUTY caused a representative of the defendant ROWLAND TOMPKINS CORPORATION to travel from Atlanta, Georgia to Newark, New Jersey.
6. On or about October 31, 1963, the defendants Karl T. Feldman, Glenn H. Giles and Ben D. Leuty caused a representative of the defendant Rowland Tompkins Corpora-	6. On or about October 31, 1963 GLENN H. GILES an unindicted co-conspirator and the defendants KARL T. FELDMAN and BEN D. LEUTY caused a representative of the defend-

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tion to mail a false and fraudulent invoice from the defendant Rowland Tompkins Corporation office [SIC] in Hawthorne, New York, to the defendant Colonial Pipeline Company in Atlanta, Georgia.	ant ROWLAND TOMPKINS CORPORATION to mail a false and fraudulent invoice from the defendant ROWLAND TOMPKINS CORPORATION office in Hawthorne, New York to the defendant COLONIAL PIPELINE COMPANY in Atlanta, Georgia.
7. On or about November 1, 1963, the defendants Glenn H. Giles, Karl T. Feldman and Ben D. Leuty, at the defendant Colonial Pipeline Company's offices in Atlanta, Georgia, used, and caused others to use, an interstate facility, to wit, the United States mails, to transmit the defendant Colonial Pipeline Company's check in the amount of $20,000 to the defendant Rowland Tompkins Corporation office at Hawthorne, New York.	7. On or about November 1, 1963, GLENN H. GILES, an unindicted coconspirator and the defendants KARL T. FELDMAN and BEN D. LEUTY, at the defendant COLONIAL PIPELINE COMPANY's offices in Atlanta, Georgia, did and caused others to transmit the defendant COLONIAL PIPELINE COMPANY'S check in the amount of $20,000.00 to the defendant ROWLAND TOMPKINS CORPORATION office at Hawthorne, New York.
8. On or about November 7, 1963, the defendants Robert E. Jacks, Walter Zirpolo, Karl T. Feldman, Glenn H. Giles, and Ben D. Leuty caused a representative of the defendant Rowland Tompkins Corporation and Howard Tompkins to travel and transport in intertate commerce between Briarcliff Manor, New York and Woodbridge, New Jersey, in the District of New Jersey, the sum of $20,000 in United States currency.	8. On or about November 7, 1963, GLENN H. GILES, an unindicted coconspirator and the defendants ROBERT E. JACKS, WALTER ZIRPOLO, KARL T. FELDMAN and BEN D. LEUTY caused a representative of the defendant ROWLAND TOMPKINS CORPORATION and HOWARD TOMPKINS to travel, transport and transmit between Briarcliff Manor, New York and Woodbridge, New Jersey, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the sum of $20,000.00 in United States currency.
9. On or about November 7, 1963, in Woodbridge, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks received the sum of $20,000 in United States currency	9. On or about November 7, 1963, in the Township of Woodbridge, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the defendant ROBERT E.

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from a representative of the defendant Rowland Tompkins Corporation.	JACKS on behalf of himself and the defendant WALTER ZIRPOLO received the sum of $20,000.00 in United States currency from a representative of the defendant ROWLAND TOMPKINS CORPORATION.
10. On or about December 6, 1963, the defendants Karl .T. Feldman, Glenn H. Giles and Ben D. Leuty at the defendant Colonial Pipeline Company's offices in Atlanta, Georgia, used, and caused others to use, an interstate facility, to wit, the United States mails, to transmit the defendant Colonial Pipeline Company's check in the amount of $15,000 to the defendant Rowland Tompkins Corporation office at Hawthorne, New York.	10. On or about December 6, 1963, GLENN H. GILES an unindicted co-conspirator and the defendants KARL T. FELDMAN and BEN D. LEUTY at the defendant COLONIAL PIPELINE COMPANY'S offices in Atlanta, Georgia transmitted the defendant COLONIAL PIPELINE COMPANY'S check in the amount of $15,000.00 to the defendant ROWLAND TOMPKINS CORPORATION office at Hawthorne, New York.
11. On or about December 13, 1963, the defendants Robert E. Jacks, Walter Zirpolo, Karl T. Feldman, Glenn H. Giles and Ben D. Leuty caused a representative of the defendant Rowland Tompkins Corporation and Ralph A. Bankes to travel and transport in interstate commerce between Hawthorne, New York and Woodbridge, New Jersey, in the District of New Jersey, the sum of $15,000 in United States curreney.	11. On or about December 13, 1963, GLENN H. GILES, an unindicted co-conspirator and defendants ROBERT E. JACKS, WALTER ZIRPOLO, KARL T. FELDMAN and BEN D. LEUTY caused a representative of the defendant ROWLAND TOMPKINS CORPORATION and RALPH A. BANKES to travel, transport and transmit between Hawthorne, New York and the Township of Woodbridge, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the sum of $15,000.00 in United States currency.
12. On or about December 13, 1963, in Woodbridge, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks had a conversation with a representative of the defendant Rowland Tompkins Corporation.	12. On or about December 13, 1963, in the Township of Woodbridge, County of Middlesex, and the jurisdiction of this Court, the defendant ROBERT E. JACKS had a conversation with a representative of the defendant ROWLAND TOMPKINS CORPORATION.

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13. Between on or about December 15, 1963, and December 26, 1963, the defendant Glenn H. Giles in Atlanta, Georgia, did use an interstate facility, to wit, a telephone, to have a conversation with Fred Stewart in the State of New Jersey, in the District of New Jersey.	13. Between on or about December 15, 1963 and December 26, 1963, GLENN H. GILES an unindicted co-conspirator, in Atlanta, Georgia had a conversation with Fred Stewart in the State of New Jersey.
14. On or about February 6, 1964 the defendants Robert E. Jacks, Walter Zirpolo, Karl T. Feldman, Glenn H. Giles, and Ben D. Leuty caused a representative of the defendant Rowland Tompkins Corporation and Ralph A. Bankes to travel and transport in interstate commerce between Hawthorne, New York and Woodbridge, New Jersey, in the District of New Jersey, the sum of $15,000 in United States currency.	14. On or about February 6, 1964, GLENN H. GILES an unindicted co-conspirator and the defendants ROBERT E. JACKS, WALTER ZIRPOLO, KARL T. FELDMAN and BEN D. LEUTY caused a representative of the defendant ROWLAND TOMPKINS CORPORATION and RALPH A. BANKES to travel, transport and transmit between Hawthorne, New York and the Township of Woodbridge, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the sum of $15,000.00 in United States currency.
15. On or about February 6, 1964, in Woodbridge, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks received the sum of $15,000 in United States currency from a representative of the defendant Rowland Tompkins Corporation.	15. On or about February 6, 1964, in the Township of Woodbridge, County of Middlesex, State of New Jersey and within the jurisdiction of this Court, the defendant ROBERT E. JACKS, on behalf of himself and the defendant WALTER ZIRPOLO received the sum of $15,000.00 in United States currency from a representative of the defendant ROWLAND TOMPKINS CORPORATION.
16. Between on or about October 30, 1964, and November 27, 1964, the defendants Karl T. Feldman, Glenn H. Giles and Ben D. Leuty at the defendant Colonial Pipeline Company's offices in Atlanta, Georgia, used, and caused others to use, an interstate fa-	16. Between on or about October 30, 1964, and November 27, 1964 GLENN H. GILES, an unindicted co-conspirator and the defendants KARL T. FELDMAN and BEN D. LEUTY, at [redacted] defendant COLONIAL PIPELINE COMPANY'S offices in Atlanta, Georgia

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cility, to wit, the United States mails, to transmit the defendant Colonial Pipeline Company's check in the amount of $15,062.19 to the defendant Rowland Tompkins Corporation office in Hawthorne, New York.	transmitted the defendant COLONIAL PIPELINE COMPANY's check in the amount of $15,062.19 to the defendant ROWLAND TOMPKINS CORPORATION office at Hawthorne, New York.
17. On or about November 27, 1964, Ralph A. Bankes at Hawthorne, New York, used an interstate facility, to wit, the telephone to hold a conversation with the defendant Robert E. Jacks who was then in Woodbridge, New Jersey, in the District of New Jersey.	17. On or about November 27, 1964 RALPH A. BANKES at Hawthorne, New York had a conversation with the defendant ROBERT E. JACKS who was then in the Township of Woodbridge, County of Middlesex, State of New Jersey and the jurisdiction of this Court.
18. On or about November 27, 1964, the defendants Robert E. Jacks, Walter Zirpolo, Karl T. Feldman, Glenn H. Giles and Ben D. Leuty caused Ralph A. Bankes and Howard Tompkins to travel and transport in interstate commerce between Briarcliff Manor, New York [sic] and Edison, New Jersey, in the District of New Jersey, the sum of $15,000 in United States currency.	18. On or about November 27, 1964 GLENN H. GILES, an unindicted co-conspirator and the defendants ROBERT E. JACKS, WALTER ZIRPOLO, KARL T. FELDMAN and BEN D. LEUTY caused RALPH A. BANKES and HOWARD TOMPKINS to travel and transport between Briarcliff Manor, New York and the Township of Edison, County of Middlesex, State of New Jersey and within the jurisdiction of this Court the sum of $15,000.00 in United States curreney.
19. On or about November 27, 1964, in Edison, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks received the sum of $15,000 in United States currency from Ralph A. Bankes.	19. On or about November 27, 1964, in the Township of Edison, County of Middlesex, State of New Jersey, and within the jurisdiction of this Court the defendant ROBERT E. JACKS individually and on behalf of defendant WALTER ZIRPOLO received the sum of $15,000.00 in United States currency from RALPH A. BANKES, contrary to provisions of N.J.S. 2A :98-1 and 2A :93-6 and against the peace of this

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	State, the Government and dignity of the same.
All of the above in violation of Section 371, Title 18, United States Code.	
COUNT II.	
That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty and Rowland Tompkins Corporation, the defendants herein, did, on or about November 7, 1963, wilfully cause a representative of the defendant Rowland Tompkins Corporation and Howard Tompkins to travel in interstate commerce between Briarcliff Manor, New York and Woodbridge, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish and carry on and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of a building permit by bribery of officials of the Township of Woodbridge, New Jersey, in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A:93-6, in that the defendants caused a representative of the defendant Rowland Tompkins Corporation and Howard Tompkins to travel and transport in interstate commerce a sum of money, to wit, $20,000 in United States currency, and that thereafter the defendants did perform and attempt to perform the acts of promoting, managing, establishing, and carrying on and facilitating the	

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promoting, managing, establishing, and carrying on of said unlawful activity, in that the defendants did cause a representative of the defendant Rowland Tompkins Corporation to deliver the aforesaid sum of money to the defendant Robert E. Jacks in Woodbridge, New Jersey, in the District of New Jersey, on or about November 7, 1963.

All of the above in volation of Sections 2 and 1952 of Title 18, United States Code.

COUNT III.

That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty and Rowland Tompkins Corporation, the defendants herein, did, on or about December 13, 1963, wilfully cause a representative of the defendant Rowland Tompkins Corporation and Ralph A. Bankes to travel in interstate commerce between Hawthorne New York and Woodbridge, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish, and carry on, and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of a building permit by bribery of officials of the Township of Woodbridge, New Jersey in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A :93-6, in that the said defendants caused a representative of the defendant Rowland

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Tompkins Corporation and Ralph A. Bankes to travel and transport in interstate commerce a sum of money, to wit, $15,000 in United States currency, and that thereafter the defendants did perform and attempt to perform the acts of promoting, managing, establishing, and carrying on and facilitating the promoting, managing, establishing and carrying on of said unlawful activity, in that the defendants did cause a representative of the defendant Rowland Tompkins Corporation to meet with the defendant Robert E. Jacks in Woodbridge, New Jersey, in the District of New Jersey, on or about December 13, 1963, for the purpose of attempting to deliver the aforesaid sum of money.

All of the above in violation of Sections 2 and 1952 of Title 18, United States Code.

COUNT IV.

That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty and Rowland Tompkins Corporation, the defendants herein, did, on or about February 6, 1964, wilfully cause a representative of the defendant Rowland Tompkins Corporation and Ralph A. Bankes to travel in interstate commerce between Hawthorne New York and Woodbridge, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish and carry on, and facilitate the promoting, manag-

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COUNT II.

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further Present that KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY and ROWLAND TOMPKINS CORPORATION, defendants herein, did on or about the 6th day of February 1964 in the Township of Woodbridge, County of Middlesex and within the jurisdiction of this Court, willfully, unlawfully and corruptly give and caused to be given the sum of $15,000.00 as a bribe to WALTER ZIRPOLO and ROBERT E. JACKS, also defendants herein, and at the same time and place the said WALTER ZIRPOLO

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ing, establishing, and carrying on of an unlawful activity, said unlawful activity being the obtaining of a building permit by bribery of officials of the Township of Woodbridge, New Jersey, in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A:93-6, in that the said defendants caused a representative of the defendant Rowland Tompkins Corporation and Ralph A. Bankes to travel and transport in interstate commerce a sum of money, to wit, $15,000 in United States currency, and that thereafter the defendants did perform and attempt to perform the acts of promoting, managing, establishing, and carrying on and facilitating the promoting, managing, establishing and carrying on of said unlawful activity, in that the defendants did cause a representative of the defendant Rowland Tompkins Corporation to deliver the aforesaid sum of money to the defendant Robert E. Jacks, in Woodbridge, New Jersey, in the District of New Jersey, on or about February 6, 1964.

All of the above in violation of Sections 2 and 1952 of Title 18, United States Code.

and ROBERT E. JACKS did willfully, unlawfully and corruptly receive the sum of $15,000.00 as a bribe through an intermediary from the said defendants KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY and ROWLAND TOMPKINS CORPORATION for the purpose of securing from the Township of Woodbridge, in which municipality WALTER ZIRPOLO was the Mayor and ROBERT E. JACKS was President of the Municipal Council, a building permit and certificate of occupancy for the erection of a tank farm and terminal on property owned by Colonial Pipeline Company, contrary to the provisions of N.J.S. 2A:96-3 and N.J.S. 2A:85-14, and against the peace of this State, the Government and dignity of the same.

COUNT V.

That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty, and Rowland Tompkins Corporation, the defendants herein, did, on or about November 27, 1964, wilfully cause Howard Tompkins and

COUNT III.

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further Present that KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY and ROWLAND TOMPKINS CORPORATION, defendants herein, did on or about the 27th day of November,

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Ralph A. Bankes to travel in interstate commerce between Briarcliff Manor, New York and Edison, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish and carry on, and facilitate the promoting, managing, establishing, and carrying on of an unlawful activity, said unlawful activity being the obtaining of a building permit by bribery of officials of the Township of Woodbridge, New Jersey in violation of the laws of the State of New Jersey; and specifically in violation of N.J.S. 2A:93-6, in that the said defendants caused Howard Tompkns and Ralph A. Bankes to travel and transport in interstate commerce the sum of $15,000 in United States currency, and that thereafter the defendants did perform and attempt to perform the acts of promoting, managing, establishing and carrying on and facilitating the promoting, establishing and carrying on of said unlawful activity, in that the defendants caused Ralph A. Bankes to deliver the aforesaid sum of money to the defendant Robert E. Jacks, in Edison, New Jersey, in the District of New Jersey, on or about November 27, 1964. All of the above in violation of Sections 2 and 1952 of Title 18, United States Code.	1964 in the Township of Edison, County of Middlesex and within the jurisdiction of this Court, willfully, unlawfully and corruptly give and cause to be given the sum of $15,000.00 as a bribe to WALTER ZIRPOLO and ROBERT E. JACKS, also defendants herein, and at the same time and place the said WALTER ZIRPOLO and ROBERT E. JACKS did willfully, unlawfully and corruptly receive the sum of $15,000.00 as a bribe through an intermediary from the said defendants KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY, and ROWLAND TOMPKINS CORPORATION for the purpose of securing from the Township of Woodbridge, in which municipality WALTER ZIRPOLO was the Mayor and ROBERT E. JACKS was President of the Municipal Council, a building permit and certificate of occupancy for the erection of a tank farm and terminal on property owned by Colonial Pipeline Company, contrary to the provisions of N.J.S. 2A:96-3 and N.J.S. 2A:85-14, and against the peace of this State, the Government and dignity of the same.

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COUNT VI.	COUNT IV.
That commencing on or about January 1, 1964 and continuously thereafter up to on or about December 31, 1964, the exact dates to the Grand Jurors unknown, in the District of New Jersey, and elsewhere, the defendants herein: Walter Zirpolo Robert E. Jacks Colonial Pipeline Company Glenn H. Giles Karl T. Feldman Ben D. Leuty Bechtel Corporation Gates Construction Corporation Gates Equipment Corporation and the following co-conspirators, not named as defendants herein: Harry F. Waste Robert L. Bowman William L.J. Fallow Robert S. Gates did knowingly, wilfully and unlawfully combine, conspire, confederate and agree with each other and with divers other persons unknown to the Grand Jurors to commit certain offenses against the United States in violation of the provisions of Section 1952 of Title 18, United States Code, in that the defendants and said co-conspirators would travel, and wilfully cause others to travel, in interstate commerce, and that they would use, and wilfully cause others to use, facilities in interstate commerce, including telephones and the mails, all of the above with the intent to pro-	That commencing on or about January 1, 1964 and continuously thereafter up to on or about December 31, 1964, the exact dates to the Grand Jurors unknown, in the County of Middlesex, and State of New Jersey, and elsewhere, and within the jurisdiction of this Court; the following defendants: WALTER ZIRPOLO ROBERT E. JACKS COLONIAL PIPELINE COMPANY KARL T. FELDMAN BEN D. LEUTY BECHTEL CORPORATION GATES CONSTRUCTION CORPORATION GATES EQUIPMENT CORPORATION and the following co-conspirators, not named as defendants herein: GLENN H. GILES HARRY F. WASTE ROBERT L. BOWMAN WILLIAM L.J. FALLOW ROBERT S. GATES did knowingly, willfully and unlawfully combine, conspire, confederate and agree with each other and with divers other persons to commit certain offenses against the State of New Jersey in violation of the provisions of N.J.S. 2A:93-6, in that the defendants and said co-conspirators, did conspire to promote, manage, establish and carry on and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of easements and street cross-

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mote, manage, establish and carry on and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of easements by bribery of officials of the Township of Woodbridge, New Jersey in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A:93-6, and it was further part of said conspiracy that the defendants would thereafter perform, and cause others to perform acts, of promoting, managing, establishing and carrying on of said unlawful activity, and acts facilitating the promoting, managing, establishing and carrying on of said unlawful activity.	ings by bribery of officials of the Township of Woodbridge, in the County of Middlesex and State of New Jersey, and it was further part of said conspiracy that the defendants would thereafter perform, and cause others to perform, acts of promoting, managing, establishing and carrying on of said unlawful activity, and acts facilitating the promoting, managing, establishing and carrying on of said unlawful activity.
It was a part of said conspiracy that the defendant Colonial Pipeline Company, acting through its agent and employee Fred Stewart, would solicit the advice and assistanee of the defendant Walter Zirpolo for the purpose of arranging the details of a proposed purchase of easements by the said defendant Colonial Pipeline Company for construction of its pipeline through property owned by the Township of Woodbridge, New Jersey.	It was a part of said conspiracy that the defendant COLONIAL PIPELINE COMPANY, acting through its agent and employee, Fred Stewart, would solicit the advice and assistance of the defendant WALTER ZIRPOLO for the purpose of arranging the details of a proposed purchase of easements and street crossings by the said defendant COLONIAL PIPELINE COMPANY for construction of its pipeline through and under streets and property owned by the Township of Woodbridge, New Jersey.
It was also part of said conspiracy that the defendant Walter Zirpolo would agree to meet with the defendant Colonial Pipeline Company's agent and employee, Fred Stewart, at the defendant Walter Zirpolo's offices at the Menlo Park Shopping Center, Edison, New Jersey, for the purpose of discussing the defendant	It was also a part of said conspiracy that the defendant WALTER ZIRPOLO would agree to meet with the defendant COLONIAL PIPELINE COMPANY'S Agent and employee, Fred Stewart, at the defendant WALTER ZIRPOLO'S offices at the Menlo Park Shopping Center, Edison, New Jersey, for the purpose of discussing the acquisition of the aforesaid easements and street crossings but that instead the defendant WALTER ZIRPOLO did arrange for Fred Stewart to meet at his aforesaid offices at the Menlo Park Shopping

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Colonial Pipeline Company's proposal to purchase the aforesaid easements, but that instead the defendant Walter Zirpolo would arrange for Fred Stewart to meet at his aforesaid offices at the Menlo Park Shopping Center with the defendant Robert E. Jacks who would on behalf of himself, the defendant Walter Zirpolo, and divers other persons to the Grand Jurors unknown, solicit from the defendant Colonial Pipeline Company, through its agent and employee Fred Stewart, the sum of $100,00 in violation of the aforesaid laws of the State of New Jersey as a condition for obtaining and securing the sale of easements by the Township of Woodbridge, New Jersey, to the defendant Colonial Pipeline Company.

It was also a part of said conspiracy that the defendants Glenn H. Giles, Karl T. Feldman and Ben D. Leuty, acting for and on behalf of the defendant Colonial Pipeline Company, would confer and agree among themselves, and with other persons to the Grand Jury unknown, to transmit the sum of $60,000 from the defendant Colonial Pipeline Company, in Atlanta, Georgia, to the defendants Walter Zirpolo and Robert E. Jacks in the Township of Woodbridge, New Jersey, and other persons to the Grand Jurors unknown, for the purpose of obtaining the assistance of said defendants Walter Zirpolo and Robert E. Jacks in obtaining and securing the sale of easements from the Township of Woodbridge, New Jersey, to the defendant Colonial Pipeline Company.

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Center with the defendant ROBERT E. JACKS who did on behalf of himself and the defendant WALTER ZIRPOLO, solicit from the defendant COLONIAL PIPELINE COMPANY, through its agent and employee Fred Stewart, the sum of $100,000.00 in violation of the aforesaid laws of the State of New Jersey as a condition for obtaining and securing the sale of easement rights and street crossings from the said Township of Woodbridge, New Jersey, to the defendant COLONIAL PIPELINE COMPANY.

It was also a part of said conspiracy that GLENN H. GILES, an unindicted co-conspirator and defendants KARL T. FELDMAN and BEN D. LEUTY, acting for and on behalf of the defendant COLONIAL PIPELINE COMPANY, did confer and agree among themselves, to transmit the sum of $60,000.00 from the defendant COLONIAL PIPELINE COMPANY, in Atlanta, Georgia, to the defendants WALTER ZIRPOLO and ROBERT E. JACKS in the Township of Edison, New Jersey for the purpose of obtaining the assistance of said defendants WALTER ZIRPOLO and ROBERT E. JACKS in obtaining and securing easement rights and street crossings from the Township of Woodbridge, New Jersey, to the defendant COLONIAL PIPELINE COMPANY.

It was also a part of said conspiracy that the defendants COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, BECHTEL CORPORATION, WALTER ZIRPOLO and ROBERT E. JACKS and the co-conspirators, but not defendants herein, HARRY F.

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It was also a part of said conspiracy that the defendants Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty, Bechtel Corporation, Walter Zirpolo, and Robert E. Jacks and the co-conspirators, but not defendants herein, Harry F. Waste, Robert L. Bowman and William L.J. Fallow, would agree among themselves and with divers other persons to the Grand Jurors unknown to travel and cause travel in interstate commerce and to use and cause the use of facilities in interstate commerce, including the mails and the telephones, for the purpose of arranging for the payment of $60,000 in United States currency from the defendant Bechtel Corporation, acting on behalf of the defendant Colonial Pipeline Company, to the defendants Walter Zirpolo and Robert E. Jacks in Edison, New Jersey in three separate payments of $20,000 for the purpose of obtaining and securing the sale of easements by the Township of Woodbridge, New Jersey, to the defendant Colonial Pipeline Company.	WASTE, ROBERT L. BOWMAN, WILLIAM L.J. FALLOW and GLENN H. GILES, did agree among themselves and with divers other persons to arrange for the payment of $60,000.00 in United States currency from the defendant BECHTEL CORPORATION, acting on behalf of the defendant COLONIAL PIPELINE COMPANY, to the defendants WALTER ZIRPOLO and ROBERT E. JACKS in Edison, New Jersey in three separate payments of $20,000 for the purpose of obtaining and securing the sale of easement rights and street crossings from the Township of Woodbridge, New Jersey, to the defendant COLONIAL PIPELINE COMPANY.
It was also a part of the conspiracy that the defendants Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty, Bechtel Corporation, Walter Zirpolo and Robert E. Jacks and the co-conspirators, but not defendants herein, Harry F. Waste, Robert L. Bowman and William L.J. Fallow would agree among themselves and with other persons to travel, and cause travel in interstate commerce, and to use, and cause the use of, facilities in interstate com-	It was also a part of the conspiracy that the defendants COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, BECHTEL CORPORATION, WALTER ZIRPOLO and ROBERT E. JACKS and the co-conspirators, but not defendants herein, HARRY F. WASTE, ROBERT L. BOWMAN, WILLIAM L.J. FALLOW and GLENN H. GILES did agree among themselves and with other persons to transmit the first payment of $20,000.00 in cash from the defendant BECHTEL CORPORATION's office in the State of New York to its office in the State of New Jersey, and thence to the defendants WALTER ZIRPOLO and ROBERT E. JACKS in Edison, New Jersey. It was also part of the conspiracy that the defendants, COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, GATES CONSTRUCTION CORPORATION, GATES EQUIPMENT COR-

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merce, including the mails and the telephones, for the purpose of transmitting the first payment of $20,000 in cash from the defendant Bechtel Corporation's office in the State of New York to its offices in the State of New Jersey, and thence to the defendants Walter Zirpolo and Robert E. Jacks in Edison, New Jersey.

It was also part of the conspiracy that the defendants, Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty, Gates Construction Corporation, Gates Equipment Corporation, Walter Zirpolo and Robert E. Jacks, and the co-conspirators, but not defendants herein, Robert S. Gates, Harry F. Waste and Robert L. Bowman, would agree among themselves, and with other persons to the Grand Jurors unknown, to travel and cause travel and to use and cause the use of facilities in interstate commerce, including the mails and the telephones, for the purpose of transmitting the sum of $84,800 in separate payments of $42,400, by means of false and fraudulent invoices, from the defendant Colonial Pipeline Company through the defendants Bechtel Corporation, Gates Construction Corporation and Gates Equipment Corporation for the purpose of transmitting $40,000 in separate payments of $20,000 each to the defendants Walter Zirpolo and Robert E. Jacks.

It was further part of said conspiracy that the defendants would make and cause to be made false and fictitious documents and would perPORATION, WALTER ZIRPOLO and ROBERT E. JACKS, and the co-conspirators, but not defendants herein, ROBERT S. GATES, HARRY F. WASTE and ROBERT L. BOWMAN and GLENN H. GILES did agree among themselves, and with other persons to transmit the sum of $84,800.00 in separate payments of $42,400.00 by means of false and fraudulent invoices, from the defendant COLONIAL PIPELINE COMPANY through the defendants BECHTEL CORPORATION, GATES CONSTRUCTION CORPORATION and GATES EQUIPMENT CORPORATION for the purpose of transmitting $40,000.00 in separate payments of $20,000.00 each to the defendants WALTER ZIRPOLO and ROBERT E. JACKS.

It was further part of said conspiracy that the defendants, the unindicted co-conspirators and the aforesaid corporations they represented did make and cause to be made false and fictitious documents and did perform other acts for the purpose of hiding and concealing, and causing to be hidden and concealed, the purposes of, and acts in furtherance of, the conspiracy, contrary to the provisions of N.J.S. 2A :98-1 and 2A :93-6 and against the peace of this State, the government and dignity of same.

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form other acts for the purpose of hiding and concealing, and causing to be hidden and concealed, the purpose of, and acts in furtherance of, the conspiracy, all in violation of Section 371 of Title 18, United States Code.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects thereof the defendants committed, and caused to be committed, the following overt acts:

1. Between on or about February 12, 1964 and March 23, 1964, in Woodbridge, New Jersey, in the District of New Jersey, the defendant Walter Zirpolo had a telephone conversation with Fred Stewart, an employee of the defendant Colonial Pipeline Company.

2. On or about March 23, 1964, in Edison, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks had a conversation with Fred Stewart, an employee of the defendant Colonial Pipeline Company.

3. On or about June 4, 1964, Harry F. Waste had a conversation with the defendant Karl T. Feldman at the defendant Colonial Pipeline Company's offices in Atlanta, Georgia.

4. On or about October 4, 1964, the defendants Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty and Bechtel Corporation, caused Robert L. Bowman and

OVERT ACTS

In furtherance of the conspiracy and to effect the objects thereof, the defendants and other persons named herein committed, and caused to be committed, the following overt acts:

1. Between on or about February 12, 1964 and March 23, 1964 in the Township of Woodbridge, County of Middlesex and State of New Jersey, and within the jurisdiction of this Court, the defendant WALTER ZIRPOLO had a telephone conversation with Fred Stewart, an employee of the defendant COLONIAL PIPELINE COMPANY.

2. On or about March 3, 1964 in the Township of Edison and State of New Jersey, the defendant ROBERT E. JACKS had a conversation with Fred Stewart, an employee of the defendant COLONIAL PIPELINE COMPANY.

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William L.J. Fallow to travel in interstate commerce from the State of California to the State of New Jersey.	
5. On or about October 6, 1964, in Edison, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks had a conversation with William L.J. Fallow.	3. On or about October 6, 1964 in the Township of Edison, County of Middlesex and State of New Jersey, the defendant ROBERT E. JACKS had a conversation with WILLIAM L.J. FALLOW.
6. On or about October 6, 1964, the defendants Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty and Bechtel Corporation, caused William L.J. Fallow, who was then in the State of New Jersey, to use a facility in foreign commerce, to wit, the telephone, to hold a conversation with Harry F. Waste, who was then in Vancouver, British Columbia, Canada.	
7. On or about October 6, 1964, William L.J. Fallow, who was then in the State of New Jersey, used an interstate facility, to wit, the telephone, to hold a conversation with the defendant Glenn H. Giles in Atlanta, Georgia.	4. On or about October 6, 1964, WILLIAM L.J. FALLOW, who was then in the State of New Jersey, had a telephonic conversation with GLENN H. GILES, an unindicted co-conspirator who was then in Atlanta, Georgia.
8. On or about October 6, 1964, the defendant Glenn H. Giles, in Atlanta, Georgia, caused a letter to be mailed from Atlanta, Georgia, to the defendant Bechtel Corporation office in Edison, New Jersey, in the District of New Jersey.	5. On or about October 6, 1964, the unindicted co-conspirator, GLENN H. GILES, in Atlanta, Georgia, caused a letter to be mailed from Atlanta, Georgia to the defendant BECHTEL CORPORATION office in the Township of Edison, County of Middlesex and State of New Jersey.
9. On or about October 7, 1964, the defendant Glenn H. Giles traveled in interstate commerce from the State of Georgia to the State of New Jersey.	

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10. On or about October 11, 1964, the defendants Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty and Bechtel Corporation, caused William L.J. Fallow to travel in interstate commerce from the State of California to the State of New Jersey.	6. On or about October 11, 1964, the defendants WALTER ZIRPOLO, ROBERT E. JACKS, COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, BECHTEL CORPORATION and GLENN H. GILES, an unindicted co-conspirator, caused WILLIAM L.J. FALLOW to travel from the State of California to the State of New Jersey.
11. On or about October 13, 1964, the defendants Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman, Ben D. Leuty and Bechtel Corporation, caused Basel C. Licklider, an employee of the defendant Bechtel Corporation, to travel and transport a sum of money in interstate commerce from the State of New York to the State of New Jersey.	7. On or about October 13, 1964, the defendants WALTER ZIRPOLO, ROBERT E. JACKS, COLONIAL PIPELINE COMPANY, KARL T. FELDMAN, BEN D. LEUTY, BECHTEL CORPORATION and unindicted co-conspirators GLENN H. GILES, WILLIAM L.J. FALLOW, ROBERT L. BOWMAN and HARRY F. WASTE caused BASEL C. LICKLIDER, an employee of the defedant BECHTEL CORPORATION, to travel and transport a sum of money from the State of New York to the State of New Jersey.
12. On or about October 13, 1964, in Edison, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks had a meeting with William L.J. Fallow.	8. On or about October 13, 1964, in the Township of Edison, County of Middlesex and State of New Jersey, the defendant ROBERT E. JACKS on behalf of himself and defendant WALTER ZIRPOLO received the sum of $20,000.00 from WILLIAM L.J. FALLOW.
13. On or about November 19, 1964, the defendant Glenn H. Giles traveled in interstate commerce from the State of Georgia to the State of New Jersey.	
14. On or about November 20, 1964, the defendant Glenn H. Giles had a conversation with Robert L. Bowman in Edison, New Jersey, in the District of New Jersey.	9. On or about November 20, 1964, GLENN H. GILES, an unindicted co-conspirator had a conversation with ROBERT L. BOWMAN in the Township of East Brunswick, County of Middlesex and State of New Jersey.

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15. On or about November 20, 1964 at Little Ferry, New Jersey, in the District of New Jersey, Robert S. Gates caused $25,000 to be transferred from the accounts of the defendant Gates Construction Corporation to the accounts of the defendant Gates Equipment Corporation.	10. On or about November 18, 1964, in Little Ferry, in the State of New Jersey, ROBERT S. GATES caused $25,000.00 to be transferred from the accounts of the defendant GATES CONSTRUCTION CORPORATION to the accounts of the defendant GATES EQUIPMENT CORPORATION.
16. Between on or about November 20, 1964 and on or about December 15, 1964, in Little Ferry, New Jersey, in the District of New Jersey, Robert S. Gates procured $40,000 in United States currency from the accounts of the defendant Gates Equipment Corporation and the defendant Gates Construction Corporation.	11. Between on or about November 18, 1964 and on or about December 15, 1964, in Little Ferry in the State of New Jersey, the said ROBERT S. GATES procured sums totaling $40,000.00 in United States currency from the accounts of the defendant GATES EQUIPMENT CORPORATION and the defendant GATES CONSTRUCTION CORPORATION.
17. Between on or about November 24, 1964, and December 15, 1964, in East Brunswick, New Jersey, in the District of New Jersey, Robert S. Gates delivered $40,000 in United States currency obtained from the accounts of the defendant Gates Construction Corporation and the defendant Gates Equipment Corporation to Robert L. Bowman.	12. Between on or about November 18, 1964 and December 15, 1964 in the Township of East Brunswick, County of Middlesex and State of New Jersey the said ROBERT S. GATES delivered $40,000.00 in United States currency obtained from the accounts of the defendant GATES CONSTRUCTION CORPORATION and the defendant GATES EQUIPMENT CORPORATION to ROBERT L. BOWMAN.
18. Between on or about November 24, 1964 and December 15, 1964, in East Brunswick, New Jersey, in the District of New Jersey, Robert L. Bowman delivered checks of the defendant Bechtel Corporation totaling $84,800 to Robert S. Gates.	13. Between on or about November 18, 1964 and December 15, 1964, in the Township of East Brunswick in the County of Middlesex and the State of New Jersey, ROBERT L. BOWMAN, an unindicted co-conspirator delivered checks of the defendant BECHTEL CORPORATION totaling $84,800.00 to ROBERT S. GATES, an unindicted co-conspirator.

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19. On or about November 24, 1964, in Edison, New Jersey, District of New Jersey, the defendant Robert E. Jacks had a conversation with Robert L. Bowman and Robert S. Gates.	14. On or about November 24, 1964, in the Township of Edison, New Jersey and State of New Jersey, the defendant ROBERT E. JACKS on behalf of himself and defendant WALTER ZIRPOLO received the sum of $20,000.00 from ROBERT L. BOWMAN and ROBERT GATES, both unindicted co-conspirators.
20. On or about December 13, 1964, the defendants, Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Glenn H. Giles, Karl T. Feldman and Ben D. Leuty, caused Robert L. Bowman to travel in interstate commerce from the State of California to the State of New Jersey.	
21. On or about December 14, 1964, in Edison, New Jersey, in the District of New Jersey, the defendant Robert E. Jacks had a conversation with Robert L. Bowman and Robert S. Gates.	15. On or about December 14, 1964, in the Township of Edison, County of Middlesex and State of New Jersey, the defendant ROBERT E. JACKS on behalf of himself and defendant WALTER ZIRPOLO received the sum of $20,000.00 from ROBERT L. BOWMAN and ROBERT S. GATES, both unindicted co-conspirators.
22. On or about December 14, 1964, in Atlanta, Georgia, the defendant Karl T. Feldman caused a check to be issued by the defendant Colonial Pipeline Company payable to the defendant Bechtel Corporation.	16. On or about December 14, 1964, in Atlanta, Georgia, the defendant KARL T. FELDMAN caused a check to be issued by the defendant COLONIAL PIPELINE COMPANY payable to the defendant BECHTEL CORPORATION.
23. On or about December 18, 1964, in Atlanta, Georgia, the defendants Glenn H. Giles, Ben D. Leuty and Karl T. Feldman caused a check of the defendant Colonial Pipeline Company to be mailed from Atlanta, Georgia, to the defendant Bechtel	17. On or about December 18, 1964, in Atlanta, Georgia, the defendants BEN D. LEUTY and KARL T. FELDMAN, and GLENN H. GILES, an unindicted co-conspirator, caused a check of the defendant COLONIAL PIPELINE COMPANY to be mailed from Atlanta,

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Corporation in San Francisco, California.

All of the above in violation of Section 371, Title 18, United States Code.

COUNT VII.

That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty and the Bechtel Corporation, the defendants herein, did on or about October 11, 1964, wilfully cause William L. J. Fallow to travel in interstate commerce between San Francisco, California and Edison, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish and carry on and facilitate the promoting, managing, establishing, and carrying on of an unlawful activity, said unlawful activity being the obtaining of easements by bribery of officials of the Township of Woodbridge, New Jersey, in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A:93-6, in that the said defendants caused the said William L. J. Fallow to travel in interstate commerce as aforesaid to deliver a sum of money, to wit, $20,000 in United States currency, and further that said defendants did thereafter perform and attempt to

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Georgia to the defendant BECHTEL CORPORATION in San Francisco, California.

All contrary to the provisions of N.J.S. 2A:98-1 and N.J.S. 2A:93-6, and against the peace of this State, the Government and dignity of the same.

COUNT V.

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further Present that KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY and BECHTEL CORPORATION, defendants herein, on or about the 13th day of October, 1964 in the Township of Edison, County of Middlesex and within the jurisdiction of this Court, willfully, unlawfully and corruptly did give and cause to be given the sum of $20,000.00 as a bribe to WALTER ZIRPOLO and ROBERT E. JACKS, also defendants herein, and at the same time and place the said WALTER ZIRPOLO and ROBERT E. JACKS did willfully, unlawfully and corruptly receive the sum of $20,000.00 as a bribe through an intermediary from the said defendants KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY and BECHTEL CORPORATION, for the purpose of securing from the Township of Woodbridge, in which municipality WALTER ZIRPOLO was the Mayor and ROBERT E. JACKS was President of the Municipal Council, easements and street crossings under property

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perform the acts of promoting, managing, establishing, and carrying on and facilitating the promoting, managing, establishing and carrying on of said unlawfully [SIC] activity, in that the defendants did cause William L. J. Fallow to deliver the aforesaid sum of money to the defendant Robert E. Jacks in Edison, New Jersey, on or about October 13, 1964.

All of the above in violation of Sections 2 and 1952 of Title 18, United States Code.

COUNT VIII.

That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty, Gates Construction Corporation and Gates Equipment Corporation, the defendants herein, did on or about November 17, 1964, wilfully cause Robert L. Bowman to travel in interstate commerce between San Francisco, California and Edison, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish and carry on and facilitate the promoting, managing, establishing, and carrying on of an unlawful activity, said unlawful activity being the obtaining of easements by bribery of officials of the Township of Woodbridge, New Jersey, in violation of N.J.S. 2A:93-6; in that the said defendants caused the said Robert L. Bowman to travel in interstate commerce as aforesaid for the purpose of assisting the defendant

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owned by the Township of Woodbridge for a pipeline then and there being constructed by the Colonial Pipeline Company, contrary to the provisions of N.J.S. 2A:96-3 and N.J.S. 2A:85-14, and against the peace of this State, the Government and dignity of the same.

COUNT VI.

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further Present that KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY, BECHTEL CORPORATION, GATES CONSTRUCTION CORPORATION and GATES EQUIPMENT CORPORATION, defendants herein, on or about the 24th day of November, 1964 in the Township of Edison, County of Middlesex and within the jurisdiction of this Court, willfully, unlawfully and corruptly did give and cause to be given the sum of $20,000.00 as a bribe to WALTER ZIRPOLO and ROBERT E. JACKS, also defendants herein, and at the same time and place the said WALTER ZIRPOLO and ROBERT E. JACKS did willfully, unlawfully and corruptly receive the sum of $20,000.00 as a bribe through an intermediary from the said defendants KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY, BECHTEL CORPORATION, GATES CONSTRUC-

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Gates Construction Corporation, the defendant Gates Equipment Corporation and Robert S. Gates to deliver a sum of money, to wit, $20,000, in United States currency, and further that said defendants did thereafter perform and attempt to perform the acts of promoting, managing, establishing, and carrying on and facilitating the promoting, managing, establishing and carrying on of said unlawful activity, in that the defendants did cause Robert L. Bowman and Robert S. Gates to deliver the aforesaid sum of money to the defendant Robert E. Jacks in Edison, New Jersey, on or about November 24, 1964.

All of the above in violation of Sections 2 and 1952, Title 18, United States Code.

COUNT IX.

That Walter Zirpolo, Robert E. Jacks, Colonial Pipeline Company, Karl T. Feldman, Glenn H. Giles, Ben D. Leuty, Gates Construction Corporation and Gates Equipment Corporation, the defendants herein, did on or about December 13, 1964 wilfully cause Robert L. Bowman to travel in interstate commerce between San Francisco, California and Edison, New Jersey, in the District of New Jersey, and the defendants did cause said travel with intent to promote, manage, establish, and carry on and facilitate the promoting, managing, establishing and carrying on of an unlawful activity, said unlawful activity being the obtaining of easements by bribery of officials of the

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TION CORPORATION and GATES EQUIPMENT CORPORATION, for the purpose of securing from the Township of Woodbridge, in which municipality WALTER ZIRPOLO was the Mayor and ROBERT E. JACKS was President of the Municipal Council, easements and street crossings under property owned by the Township of Woodbridge for a pipeline then and there being constructed by the Colonial Pipeline Company, contrary to the provisions of N.J.S. 2A:96-3 and N.J.S. 2A:85-14, and against the peace of this State, the Government and dignity of the same

COUNT VII.

And the Grand Jurors aforesaid, upon their oaths aforesaid, do further their Present that KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY, BECHTEL CORPORATION, GATES CONSTRUCTION CORPORATION and GATES EQUIPMENT CORPORATION, defendants herein, on or about the 14th day of December, 1964 in the Township of Edison, County of Middlesex and within the jurisdiction of this Court, willfully, unlawfully and corruptly did give and cause to be given the sum of $20,000.00 as a bribe to WALTER ZIRPOLO and ROBERT E. JACKS, also defendants herein, and at the same time and place the said WALTER ZIRPOLO and ROBERT E. JACKS did willfully, unlawfully and

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Township of Woodbridge, New Jersey, in violation of the laws of the State of New Jersey, and specifically in violation of N.J.S. 2A:93-6, in that the said defendants caused the said Robert L. Bowman to travel in interstate commerce as aforesaid for the purpose of assisting the defendant Gates Construction Corporation, the defendant Gates Equipment Corporation and Robert S. Gates to deliver a sum of money, to wit, $20,000 in United States currency, and further that said defendants did thereafter perform and attempt to perform the acts of promoting, managing, establishing and carrying on and facilitating the promoting, managing, establishing, and carrying on of said unlawful activity, in that the defendants did cause Robert L. Bowman and Robert S. Gates to deliver the aforesaid sum of money to the defendant Robert E. Jacks in Edison, New Jersey, on or about December 14, 1964. All of the above in violation of Sections 2 and 1952 of Title 18, United States Code.	corruptly receive the sum of $20,000.00 as a bribe through an intermediary from the said defendants KARL T. FELDMAN, BEN D. LEUTY, COLONIAL PIPELINE COMPANY, BECHTEL CORPORATION, GATES CONSTRUCTION CORPORATION and GATES EQUIPMENT CORPORATION, for the purpose of securing from the Township of Woodbridge, in which municipality WALTER ZIRPOLO was the Mayor and ROBERT E. JACKS was the President of the Municipal Council, easements and street crossings under property owned by the Township of Woodbridge for a pipeline then and there being constructed by the Colonial Pipeline Company, contrary to the provisions of N.J.S. 2A:96-3 and N.J.S. 2A:85-14, and against the peace of this State, the Government and dignity of the same.
A TRUE BILL	A True Bill:
_____	_____
Foreman	*Foreman* FLOYD W. GAUDET
	_____
	County Prosecutor EDWARD J. DOLAN
_____	
DAVID M. SATZ, JR. *United States Attorney*	